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QUESTION OF THE VIOLATION OF HUMAN RIGHTS IN THE OCCUPIED ARAB TERRITORIES, INCLUDING PALESTINE

Letter dated 27 February 1997 from the Permanent Observer of Palestine to the United Nations Office at Geneva addressed to the Assistant Secretary-General for Human Rights

In grave and flagrant violation of the provisions of the Fourth Geneva Convention of 1949 concerning the protection of civilians in time of war, the Hague Convention of 1907, Security Council and General Assembly resolutions, Commission on Human Rights resolutions, as well as the agreements signed between the Government of Israel and the Palestine Liberation Organization, the Government of Israel decided on Wednesday, 26 February 1997 to establish a Jewish district in the Occupied Arab City of Jerusalem (Jabal Abou Gnim) which would consist of 6,500 living units for the Israeli settlers.

Before this, the current Government of Israel decided on 2 August 1996 to cancel a decision, taken by the former Government, on freezing the establishment of settlements and decided to resume the policy of encouraging settlements, confiscating land, establishing plans to build living units for the Israelis and establishing roads in the Occupied Palestinian Territories which link the Israeli settlements together and cut the Palestinian cities and villages from each other. In addition to that, the Israeli Occupation Authorities had already expelled, on 27 January 1997, the Palestinian Arabs of Jahhaline from their homes in the region of occupied Jerusalem and Aboudisse in view of enlarging the settlement of Maalih Adoumim.

This fever of establishing settlements in the Occupied Palestinian Territories, mainly in the Arab City of Jerusalem, was accompanied by the policy of displacing and deporting the inhabitants of the Occupied Arab City of Jerusalem by withdrawing their identity cards and forcing them to move and

live outside Jerusalem, the city in which they have been living for thousands of years, from father to grandfather, in order to replace them by the Israeli settlers and to change the demographic situation for the benefit of the judaization of the city before the negotiations between the Palestinians and the Israelis reach the stage of negotiating the issue of Jerusalem, which it has been decided, will be discussed at the last stage of the negotiations.

The purpose behind the Israeli policy of settlements, confiscating land and deporting the Palestinian citizens living in Jerusalem to put Israeli settlers instead in the occupied city, is the creation of a new demographic situation by one side, which may hinder the negotiations concerning the City of Jerusalem, making it impossible to reach a just solution through negotiations, and achieve a just and lasting peace in the region.

This Israeli policy is not only a violation of the provisions of the above-mentioned Geneva Convention and the Hague Convention of 1907, but it is a violation of a jus cogens of international law concerning the right of people to self determination. The Israeli settlement in the Occupied Palestinian Territories is a flagrant violation of the right of the Palestinian people to self-determination since it is a kind of occupation by Israel of these territories. Furthermore, the determination of the Government of Israel to persist in the policy of settlements implies determination to continue its occupation of the Palestinian Territories, which confirms that the Government of Israel has no intention to achieve a just and lasting peace in the region. It also implies the complete destruction of the peace process and the threat of taking the region back to a state of war and bloodshed for which Israel would be responsible.

We request that this memorandum be circulated as an official document of the Commission on Human Rights at its fifty-third session under item 4 of its agenda.

(Signed) Nabil Ramlawi
Ambassador
Permanent Observer